



Docket No.: A0345.0025
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christoph Binkert et al.

Application No.: 10/580,169

Confirmation No.: 3809

Filed: December 1, 2006

Art Unit: 1614

For: NOVEL THIAZOLIDIN-4-ONE
DERIVATIVES

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT AND CORRECTED NOTICE OF
ACCEPTANCE OF APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has the following error:

Incorrect Filing Date. The Filing Receipt currently reflects the date that a Request to Correct Inventorship was submitted (12/01/2006).

Please correct Filing Date to be the original date of submission of All Requirements: 05/19/2006.

The Notice of Acceptance of Application Under 35 U.S.C. 371 And 37 CFR 1.495 received by Applicant, a copy of which is attached hereto, has the following errors:

Incorrect Date of Receipt of 35 U.S.C. 371(c)(1), and (c)(2) and (c)(4) Requirements, and incorrect Date of Completion of All 35 U.S.C. 371 Requirements. The Date of Receipt and Date of Completion of All Requirements both currently reflect the date that a Request to correct Inventorship was submitted (12/01/2006).

Please correct the Date of Receipt and the Date of Completion of All Requirements to be the original date of submission of All Requirements: **05/19/2006**.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

No fee is required. However, The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. A0345.0025

Dated: January 31, 2007

Respectfully submitted,

By 

Charles E. Miller

Registration No.: 24,576
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
41st Floor
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(212) 277-6500
Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/580,169 | Christoph Binkert | A0345.0025 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

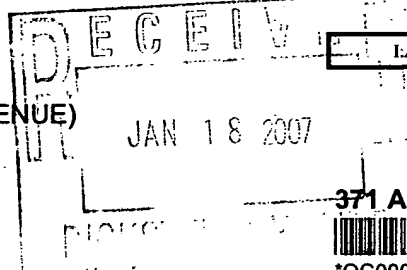
PCT/EP04/12953

32172

DICKSTEIN SHAPIRO LLP

1177 AVENUE OF THE AMERICAS (6TH AVENUE)

NEW YORK, NY 10036-2714



| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

11/16/2004

11/21/2003

CONFIRMATION NO. 3809

371 ACCEPTANCE LETTER



OC000000021943403

Date Mailed: 01/12/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

05/19/2006

~~12/01/2006~~

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and
(c)(4) REQUIREMENTS

05/19/2006

~~12/01/2006~~

DATE OF COMPLETION OF ALL 35 U.S.C. 371
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 05/19/2006
- Copy of the International Search Report filed on 05/19/2006
- Preliminary Amendments filed on 05/19/2006
- Information Disclosure Statements filed on 10/17/2006
- Oath or Declaration filed on 12/01/2006
- Request for Immediate Examination filed on 05/19/2006
- U.S. Basic National Fees filed on 05/19/2006
- Assignment filed on 05/19/2006
- Priority Documents filed on 05/19/2006
- Specification filed on 05/19/2006
- Claims filed on 05/19/2006

DSMO FILE NO. A0345.0025

DUE: _____

C/L: _____

ENTERED BY: A.S.ATTY: CEM/14/form

- Abstracts filed on 05/19/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|-------------------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/580,169 | 12/01/2006 05/19/2006 | 1614 | 3860 | A0345.0025 | | 56 | 2 |

32172
 DICKSTEIN SHAPIRO LLP
 1177 AVENUE OF THE AMERICAS (6TH AVENUE)
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RECEIVED
 JAN 18 2007
 DICKSTEIN SHAPIRO

CONFIRMATION NO. 3809
 FILING RECEIPT
 OC000000021943402

Date Mailed: 01/12/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Christoph Binkert, Basel, SWITZERLAND;
 Martin Bolli, Allschwil, SWITZERLAND;
 Boris Mathys, Egerkingen, SWITZERLAND;
 Claus Mueller, Weil am Rhein, GERMANY;
 Michael Scherz, Ettingen, SWITZERLAND;

USPTO FILE NO. A0345.0025

DATE: _____

C/L: _____

ENTERED BY: A.S.

ATTY: CEM/ly/for

Assignment For Published Patent Application

ACTELION PHARMACEUTICALS, LTD.

Power of Attorney: The patent practitioners associated with Customer Number 32172.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/12953 11/16/2004

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) PCT EP03 13072 11/21/2003

If Required, Foreign Filing License Granted: 01/10/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/580,169**

Projected Publication Date: 04/19/2007

Non-Publication Request: No

Early Publication Request: No

Title

Novel thiazolidin-4-one derivatives

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Atty Docket No.: A0345.0025

Inventor: Christoph Binkert et al.

Application No.: Not Yet Assigned
Title: NOVEL THIAZOLIDIN-4-ONE DERIVATIVES

Filing Date: May 19, 2006

10/580169

Documents Filed:

Copy of the Application (106 pages) First Preliminary Amendment (23 pages) Form PCT/ISA/210

Oath or declaration of the inventor(s) (Signed) Form PCT/RO/101 Form PCT/IB/304

Transmittal Letter to the United States Designated-Elected Office (3 pages) Form PCT/IB/306

Payment by credit card. Form PTO-2038 is attached (1 page) Form PCT/ISA/237

Charge \$3,900.00 to credit card Front page of WO 2005/054215 A1

Copy of Assignment (1 page) Express Mail Certificate (1 page)

Recordation Form Cover Sheet (1 page)

EV533474648US

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Date: May 19, 2006

IA7 Rec'd PCT/PTO 19 MAY 2006

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on May 19, 2006
Date



Signature

Carol A. McFarlane-Fishberg

Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 896-5456
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (3 pages);
Copy of the Application (106 pages);
First Preliminary Amendment (23 pages);
Oath or declaration of the inventors (Signed) (2 pages);
Payment by credit card. Form PTO-2038 is attached (1 page);
Charge \$3,900.00 to credit card;
Copy of Assignment (1 page);
Front page of WO 2005/054215 A1;
Recordation Form Cover Sheet (1 page);
Form PCT/ISA/210;
Form PCT/RO/101;
Form PCT/IB/304;
Form PCT/IB/306; and
Form PCT/ISA/237.

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| | | |
|--|---|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER A0345.0025 |
| | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO. PCT/EP2004/012953 | INTERNATIONAL FILING DATE 16 November 2004 | PRIORITY DATE CLAIMED November 21, 2003 |
| TITLE OF INVENTION NOVEL THIAZOLIDIN-4-ONE DERIVATIVES | | |
| APPLICANT(S) FOR DO/EO/US Christoph Binkert et al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | |

Approved for use through 03/31/2007. OMB 0651-0021
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|--|--------------|---|------------|--|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. PCT/EP2004/012953 | | ATTORNEY'S DOCKET NUMBER A0345.0025 | |
| 20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard, Form PCT/ISA/210, Form PCT/RO/101, Form PCT/IB/304, Form PCT/IB/306, Form PCT/ISA/237 | | | | | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200 | | | | \$ 200.00 | |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500 | | | | \$ 400.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| 106 - 100 = | 6 /50 = | | x \$250.00 | \$ 250.00 | |
| Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 67 - 20 = | 47 | x 50.00 | 2,350.00 | |
| Independent claims | 2 - 3 = | | x | 0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + 360.00 | 360.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 3,860.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$ 3,860.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 3,860.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ 40.00 | |
| | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 3,900.00 | |
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A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2215. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

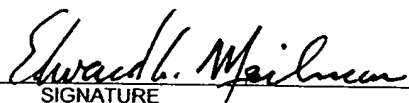
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Charles E. Miller
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1430

CUSTOMER NUMBER: 32172

May 19, 2006


SIGNATURE

Edward A. Meilman
NAME

24,735
REGISTRATION NUMBER